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LETTER DATED 11 DECEMBER 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 11 December 1996 addressed to you by Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq, concerning the continuing violations of Iraq's territory and airspace by Turkish armed forces.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

Annex

Letter dated 11 December 1996 from the Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I refer to my letter of 5 December 1996 concerning continuing violations of the territory and airspace of the Republic of Iraq by Turkish armed forces (S/1996/1018, annex) and should like to inform you that, on a variety of pretexts, such forces are still engaging in military operations inside Iraq's territory and in its airspace. The particulars are set forth hereunder.

1. On 31 October 1996 Turkish fighter aircraft bombarded the Karfiyah area, which is inside Iraqi territory in the south-eastern part of Amadiyah district, killing two local residents and injuring 15.

2. On 4 November 1996 two Turkish fighter aircraft bombarded the Karfiyah and Sidah areas, which are inside Iraqi territory in the eastern part of Amadiyah district, killing two local residents.

3. On 7 November 1996 a Turkish airborne force in two helicopters landed in the Mazuri area, which is inside Iraqi territory in the Shirwan-Mazin sector, seizing 10 local residents and taking them to Turkish territory.

4. On 7 November 1996 Turkish fighter aircraft bombarded outlying areas of the Shirwan-Mazin sector inside Iraqi territory.

5. On 7 November 1996 Turkish aircraft bombarded the Iraqi villages of Mirgah Sur and Mirani, killing 22 local residents.

6. On 9 November 1996 a Turkish military force consisting of a special-forces battalion reinforced by detachments of the Turkish village gendarmerie crossed Iraqi territory and searched the Iraqi villages of Rusi and Akmalah.

7. On 9 November 1996 two Turkish fighter aircraft bombarded the Nirwah and Rikan sector, which is inside Iraqi territory.

8. On 10 November 1996 two Turkish fighter aircraft bombarded the Iraqi villages of Qamari, Kalka, Haysi and Bazi. A local woman was injured in the attack.

9. On 15 November 1996 Turkish artillery shelled the Shiladizah centre, which is inside Iraqi territory, destroying the home of one resident and thus killing him and his five children and injuring his wife.

10. On 15 November 1996 Turkish artillery shelled the Shiladizah centre. A shell fell on the home of one Husayn Khalid, killing the children Aksar Fattah Khalid, Yunus Husayn Khalid, Asiya Mind Fattah and Jayman Fattah Khalid.

11. Between 1053 and 1200 hours on 18 November 1996 four sorties by Turkish fighter aircraft were detected in Iraqi airspace in the northern region in the Zakho and Amadiyah areas.

12. Between 1008 and 1342 hours on 26 November 1996 six sorties by Turkish fighter aircraft were detected in the Iraqi airspace in the Amadiyah, Pibu and Batufah areas.

13. On 28 November 1996 a Turkish military force consisting of a special-forces company reinforced by detachments of the Turkish village gendarmerie estimated at some 400 in number crossed the Iraqi border and searched the Iraqi villages of Urah, Baydu, Awi and Kani Masi to the north-east of Amadiyah.

In conveying to you the details of these Turkish violations, the Government of Iraq calls for an immediate and thorough investigation of the incidents in question. It does so because the practices of the Turkish forces, as represented by their repeated shelling of towns and villages in Iraq and their unlawful incursions into Iraqi territory, are in flagrant violation of Iraq's sovereignty and the inviolability of its territory and airspace, just as they are incompatible with relations of good-neighbourliness, the Charter of the United Nations, the norms of international law and the 1926 Iraq-Turkey boundary agreement. These practices may also undermine stability in the region as a whole, which is suffering primarily from the anomalous situation created by the Americans and their allies in northern Iraq.

The anomalous situation in northern Iraq, which is being maintained by the United States of America by means of brute force, and the deployment of United States and British strike forces in Turkish territory are preventing the two neighbours from resolving the issues that are hampering relations between them. They also pose a threat to international peace and security in the region and in the world at large.

As stated in my previous letter, the Turkish Government bears full international responsibility for its acts of aggression inside Iraqi territory and for all their consequences, regardless of the alleged reasons it gives.

The Government of Iraq reserves its legitimate right under international law to seek compensation for the damage caused by these Turkish violations of its territory and its airspace and for the human suffering inflicted on Iraqi citizens by these actions. Through you, it renews its call to the Government of Turkey to reconsider its policy with respect to the situation in northern Iraq, to promote the collaboration of the two countries on the basis of good-neighbourliness and mutual respect for sovereignty and to eliminate the reasons for the persistence of a situation that jeopardizes the interests of both countries.

As, through you, I reiterate my country's call to its Turkish neighbours to respect Iraq's sovereignty and territorial integrity, I express the hope that the United Nations will meet its responsibilities as laid down in the Charter and that it will halt the intimidation and aggression to which my country is constantly being subjected.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Tariq AZIZ
Deputy Prime Minister and
Acting Minister for Foreign Affairs
of the Republic of Iraq